

Senate Bill 136

By: Senators Smith of the 52nd, Hill of the 32nd, Wiles of the 37th and Weber of the 40th

**AS PASSED**

**AN ACT**

To amend Code Section 15-11-47 of the Official Code of Georgia Annotated, relating to procedure on taking child into custody, detention, and bail, so as to provide for bail for children alleged to be delinquent or unruly; to provide for related matters; to repeal conflicting laws; and for other purposes.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

**SECTION 1.**

Code Section 15-11-47 of the Official Code of Georgia Annotated, relating to procedure on taking child into custody, detention, and bail, is amended by striking subsection (d) and inserting in lieu thereof a new subsection (d) to read as follows:

*"(d) Bail. All children subject to the jurisdiction of the juvenile court and alleged to be delinquent or unruly shall have the same right to bail as adults; and the judge shall admit to bail all children under the court's jurisdiction in the same manner and under the same circumstances and procedures as are applicable to adults accused of the commission of crimes. Any person having legal custody or an adult blood relative or stepparent shall be entitled to post bail but shall be required immediately to return the child to the individual or entity having legal custody of the child."*

**SECTION 2.**

All laws and parts of laws in conflict with this Act are repealed.